



San Diego City Attorney MICHAEL J. AGUIRRE

MEDIA ADVISORY

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Contact: Maria Velasquez, Communications Director: (619) 235-5725 (pager & voicemail) mvelasquez@sandiego.gov

MOUNT SOLEDAD COMMUNITY FORUM WHAT LEGAL OPTIONS ARE AVAILABLE?

DATE AND TIME: Thursday, May 18, 6 p.m. – 8 p.m.

**LOCATION: City Council Chambers
202 C Street, 12th Floor
Downtown San Diego**

Panel Members:

**James McElroy Attorney for Plaintiff Philip Paulson
Charles Berwanger, Attorney for Mount Soledad Memorial Association
Bill Kellogg, President, Mount Soledad Memorial Association
Charles LiMandri, Attorney, Thomas More Law Center
Mike B. Poynor, Former San Diego Deputy County Counsel
David Karlin, San Diego Deputy City Attorney
Moderated by City Attorney Michael Aguirre**

The City Attorney's Office will hold a community forum on Thursday to discuss the legal options that are available to the City of San Diego regarding a recent Federal Court order to enforce a 1991 injunction forbidding the presence of the Mt. Soledad cross on City property. The public is invited to participate.

On May 3, 2006, U.S. District Judge Gordon Thompson Jr., ordered the City to remove the cross within 90 days or face sanctions of \$5,000 per day. In October 2005, the State Court ruled on the constitutionality of Proposition A, and concluded that "the transfer of the memorial with the cross as its centerpiece to the federal government to save the cross as it is, where it is, is an unconstitutional aid to religion" in violation of the California State Constitution.

Next Tuesday, the San Diego City Council is expected to make a decision on whether to appeal the Court rulings and pursue a stay of the Federal Court's sanction. City Attorney Michael Aguirre believes consideration of these appeals is a proper action to take because they fall within the City's legal rights.

Recently San Diego Mayor Jerry Sanders released a letter he sent to President George Bush supporting efforts by Congressman Duncan Hunter requesting that the federal government take possession of the Mount Soledad War Memorial through an eminent domain action.

City TV 24 will broadcast live tonight's Community Forum .

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